

**Court of Appeal, Fourth Appellate District
Division Three, Santa Ana, January 19, 1998**

H O L I D A Y

**Court of Appeal, Fourth Appellate District
Division Three, Santa Ana, January 20, 1998**

Court convened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Sonenshine, J., Rylaarsdam, J., and Bedsworth, J. J. McElroy, Deputy Clerk attending.

Crim	The People
No.	vs.
G019988	Kevin Andrew B.

Merits. Cause called. Stephen M. Lathrop argues for appellant. Craig Nelson, Deputy Attorney General, argues for respondent. Cause submitted.

Crim	The People
No.	vs.
G020308	Gerald Padilla

Merits. Cause called. Roger Hanson argues for appellant. Marilyn George, Deputy Attorney General, argues for respondent. Cause submitted.

Crim	The People
No.	vs.
G020481	Gary Thomas B.

Merits. Cause called. Richard Weinthal argues for appellant. Warren Robinson, Deputy Attorney General, argues for respondent. Cause submitted.

Crim	The People
No.	vs.
G019838	Victor Mercado

Merits. Cause called. Katharine Greenebaum argues for appellant. Lise Simons, Deputy Attorney General, argues for respondent. Cause submitted.

**Court of Appeal, Fourth Appellate District
Division Three, Santa Ana, January 20, 1998 (Cont'd)**

Crim The People
No. vs.
G019837 Anthony Geran Shaw

Merits. Cause called. Courtney J. Shevelson argues for appellant.
Marilyn George, Deputy Attorney General argues for respondent.
Cause submitted.

Crim The People
No. vs.
G019696 Kenneth Romero Reyna

Merits. Cause called. Richard L. Schwartzberg argues for appellant.
Michael Murphy, Deputy Attorney General, argues for respondent.
Cause submitted.

Crim The People
No. vs.
G020384 Michael Crowe, Jesus Lopez, and Rene Villa

Merits. Cause called. Richard L. Schwartzberg argues for appellant
Michael Crowe. Diane E. Berley argues for appellant Jesus Lopez.
J. R. McGrath argues for appellant Rene Villa. Lise Simons, Deputy
Attorney General, argues for respondent. Cause submitted.

Crim The People
No. vs.
G019754 North Hering; Jose Fermin

Merits. Cause called. Dennis A. Fischer argues for appellant
Norton Hering. Keith A. Monroe argues for appellant Jose Fermin.
Frederick Clark, Deputy Attorney General, argues for respondent.
Cause submitted.

Court declared a recess.

**Court of Appeal, Fourth Appellate District
Division Three, Santa Ana, January 20, 1998 (Cont'd)**

Court re-convened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Sonenshine, J., Rylaarsdam, J., and Bedsworth, J. J. McElroy, Deputy Clerk attending.

Civil No. G017582	American Security & Protection vs. Tri-Ed, Inc.
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Merits. Cause called. James H. Palmer argues for appellant. Mark W. Huston argues for respondent. Cause submitted.

Civil No. G017117	Daniel Vernoy vs. Irvine Ranch Water District
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Merits. Cause called. Robert S. Scuderi argues for appellant. Jim Persinger, Deputy County Counsel, argues for respondent. Cause submitted.

Civil No. G017081	Dina Duhl vs. Knotts Berry Farm
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Merits. Cause called. Brian Lee Corber argues for appellant. Geniene T. Boeck argues for respondent. Cause submitted.

Civil No. G017544	Timothy J. Graber vs. City of Santa Ana; Debra Kurita
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Merits. Cause called. Dennis J. Hayes argues for appellant. Robert J. Wheeler, City Attorney, argues for respondent. Cause submitted.

**Court of Appeal, Fourth Appellate District
Division Three, Santa Ana, January 20, 1998 (Cont'd)**

Civil Gayle Quigley
No. vs.
G016980 First Church of Christ, Scientist
G017471

Merits. Cause called. James H. Kaster argues for appellant. Michael P. McNamara argues for respondents Laura Armstrong and Christian Science Visiting Nurse. Charles S. Battles argues for respondents First Church of Christ and Robert Gilbert. Shawn McMenemy argues for respondent Ann Marie McCann. Carol A. Gefig argues for respondent Ruth Ann Wantland. Cause submitted.

Civil Mary McWethy
No. vs.
G016789 James D. Gunderson
G017879

Merits. Cause called. Stewart Lesansky argues for appellant James D. Gunderson. Ronald A. Bragin argues for appellant Linda Gunderson. John H. Westover argues for respondents. Cause submitted.

Court declares a recess.

**Court of Appeal, Fourth Appellate District
Division Three, Santa Ana, January 21, 1998**

Court re-convened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Wallin, J., Crosby, J., and Sonenshine, J. J. McElroy, Deputy Clerk attending.

Crim No. G018903	The People vs. Freddie Dean Snider
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Merits. Cause called. Julie S. Hernandez argues for appellant. Pat Zaharopoulous, Deputy Attorney General, argues for respondent. Cause submitted.

Civil No. G019924	Thomas Jeremiah Shea vs. Department of Motor Vehicles
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Merits. Cause called. David M. Tiede, Deputy Attorney General, argues for appellant. Marshall M. Schulman argues for respondent. Cause submitted.

Crim No. G020141	The People vs. Luciano Gutierrez Bermudez
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Merits. Cause called. Stephen Gilbert argues for appellant. Holly Hoffman, Deputy Attorney General, argues for respondent. Cause submitted.

Crim No. G018558 G021654	The People vs. Fernando Moreno
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Merits. Cause called. Verna Wefald argues for appellant. Matthew Mulford, Deputy Attorney General, argues for respondent. Cause submitted.

**Court of Appeal, Fourth Appellate District
Division Three, Santa Ana, January 21, 1998 (Cont'd)**

Crim The People
No. vs.
G019392 Rodney James Thompson

Merits. Cause called. Diane Nichols argues for appellant. Matthew Mulford, Deputy Attorney General, argues for respondent. Cause submitted.

Crim The People
No. vs.
G019791 Joseph Irenaus Cyprian

Merits. Cause called. Jeffrey Wilens argues for appellant. Gil Gonzalez, Deputy Attorney General, argues for respondent. Cause submitted.

Crim The People
No. vs.
G019683 Martin Borroel Sandoval

Merits. Cause called. Katharine E. Greenebaum argues for appellant. Douglas Danzig, Deputy Attorney General, argues for respondent. Cause submitted.

Crim The People
No. vs.
G019856 Connie Corkran

Merits. Cause called. Gerald J. Miller argues for appellant. Carl Terp, Deputy Attorney General, argues for respondent. Cause submitted.

Crim The People
No. vs.
G020041 Antonio Marcos Robles

Merits. Cause called. Stephen Gilbert argues for appellant. Michael Murphy, Deputy Attorney General, argues for respondent. Cause submitted.

**Court of Appeal, Fourth Appellate District
Division Three, Santa Ana, January 21, 1998 (Cont'd)**

Crim The People
No. vs.
G019527 Fidel Alvarez

Merits. Cause called. Rhonda G. Norris argues for appellant.
Michael Murphy, Deputy Attorney General, argues for respondent.
Cause submitted.

Court declared a recess.

Court re-convened at 1:30 p.m. in the courtroom located at 925 N.
Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J.,
Wallin, J., and Crosby, J. J. McElroy, Deputy Clerk attending.

Civil Laura Louise Herring
No. vs.
G021375 Shappell Industries

Merits. Cause called. OSC re Sharon Evans, CSR. Court reporter
Sharon Evans not present. Kenneth Crede present for respondent
and answered questions for the court. Sharon Evans found not
competent to act as an official court reporter. Bench warrant ordered
issued and held.

Civil Gwen J.
No. vs.
G021124 Social Services Agency
G021308

Merits. Cause called. Marsha Faith Levine argues for Gwendolyn
Johnson. Jane Winer argues for Mario Fernandez, Jr. Dana J. Stits,
Deputy County Counsel, argues for respondent. Donna L. Groman
argues for the minor. Cause submitted.

**Court of Appeal, Fourth Appellate District
Division Three, Santa Ana, January 21, 1998 (Cont'd)**

Civil Stein-Brief Group Inc.
No. vs.
G017043 The Home Indemnity Company

Merits. Cause called. Duke F. Wahlquist argues for appellant. Jon A. Hammerbeck argues for respondent Scottsdale Insurance. M. Reed Hunter argues for respondent The Home Indemnity Company. Dana A. Fox argues for respondent National Union Fire Insurance Company. Appellant to file a supplemental letter brief by February 6, 1998, no later than 5:00 p.m. Respondent to file a supplemental letter brief by February 6, 1998, no later than 5:00 p.m. Cause to be submitted on February 6, 1998.

Civil Samir Hammouri
No. vs.
G016808 Rick Buccola

Merits. Cause called. No appearance by appellants. Scott W. O'Neill argues for respondents. Cause submitted.

Civil Helen L. Morris
No. vs.
G018037 Anaheim Memorial Hospital

Merits. Cause called. Norman Pine argues for appellant. Laura Stephan argues for respondent. Cause submitted.

Civil California Youthful Offender Parole Board
No. vs.
G021412 Orange County Superior Court; Ryan Lo

Merits. Cause called. Robert F. Helfand, Deputy Attorney General, argues for appellant. Thomas H. Wolfson argues for respondent. Cause submitted.

Court declared a recess.

**Court of Appeal, Fourth Appellate District
Division Three, Santa Ana, January 21, 1998 (Cont'd)**

Civil	Esperanza L.	(Not for publication)
No.	vs.	
G022273	The Superior Court of Orange County; Orange County Social Services Agency	
Writ denied.		
		Bedsworth, J.
	We concur: Wallin, Acting P.J. Crosby, J.	

**Court of Appeal, Fourth Appellate District
Division Three, Santa Ana, January 22, 1998**

Civil	Asela Garcia	(Not for publication)
No.	vs.	
G019638	Southern California Edison Company	

Judgment affirmed.

Rylaarsdam, J.

We concur: Sills, P.J.
Bedsworth, J.

Civil	Orange County Social Services Agency	(Not for publication)
No.	vs.	
G022044	Barbara J.	

Judgment affirmed.

Rylaarsdam, J.

We concur: Sills, P.J.
Sonenshine, J.

Crim	The People	(Not for publication)
No.	vs.	
G022639	Humberto Ortiz on Habeas Corpus	

Writ issued.

Wallin, Acting P.J.

We concur: Sonenshine, J.
Bedsworth, J.

Court re-convened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sonenshine, Acting P.J., Rylaarsdam, J., and Bedsworth, J. J. McElroy, Deputy Clerk attending.

Civil	Kimberly Renee Springer
No.	vs.
G017539	National Association of Letter Carriers

All parties waived prior to court taking the bench. No argument presented. Cause submitted.

**Court of Appeal, Fourth Appellate District
Division Three, Santa Ana, January 22, 1998 (Cont'd)**

Civil County of Orange
No. vs.
G020681 Ranger Insurance Co.

Merits. Cause called. Alan Nunez argues for appellant. Karyn J. Driessen, Deputy County Counsel, argues for respondent. Cause submitted.

Civil David C. Duggan
No. vs.
G015576 Jack Simon

Merits. Cause called. Richard V. McMillan argues for appellants. Theodore M. Hankin argues for respondents. Cause submitted.

Civil William James Koch
No. vs.
G016014 Gail Kathleen Koch

Merits. Cause called. Marjorie G. Fuller argues for appellant. Kevin G. Musulas argues for respondent. Cause submitted.

Civil Olen Management Corp.
No. vs.
G015907 Magazine Publishing Company

Merits. Cause called. Jaquelynn Pope argues for appellant. John B. Taylor argues for respondent. Cause submitted.

Civil Aftim K. Saba
No. vs.
G018933 John Crater

Merits. Cause called. Robert S. Lewin argues for appellant. J. Craig Williams argues for respondent. Cause submitted.

**Court of Appeal, Fourth Appellate District
Division Three, Santa Ana, January 22, 1998 (Cont'd)**

Civil	John F. Pelochino
No.	vs.
G016828	Thomas Maple and Eloise Sotelo

Merits. Cause called. John F. Pelochino argues on his own behalf.
Richard B. Blum argues for respondents. Cause submitted.

Court declared a recess.

**Court of Appeal, Fourth Appellate District
Division Three, Santa Ana, January 23, 1998**

Court re-convened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Wallin, J., and Crosby, J. J. McElroy, Deputy Clerk attending.

Civil	Mark Jensen
No.	vs.
G019611	Donald Lee Patterson

Merits. Cause called. Marcia Wertenberger submits pursuant to telephone conversation on behalf of appellant. She has a medical emergency and is in the hospital. She does not want a continuance. Richard P. Whitney argues for respondent. Cause submitted.

Civil	Warren Cranford
No.	vs.
G019827	Rancho Dominguez Patio Homeowners Assoc.

Merits. Cause called. Darrell K. Moore argues for appellant. Norman B. Leeper argues for respondent. Cause submitted.

Civil	Department of Motor Vehicles
No.	vs.
G016832	Murray Paul Sharpe

Merits. Cause called. Anne Hunter, Deputy Attorney General, argues for appellant. Appearance for respondent not applicable; no respondent's brief filed. Cause submitted.

Civil	Mary Esther Davidson
No.	vs.
G019442	Gene C. Lawrence

Merits. Cause called. Lee A. Freeman argues for appellant. Louise M. Douville argues for respondent. Bradley J. McGirr argues for respondent. Cause submitted.

**Court of Appeal, Fourth Appellate District
Division Three, Santa Ana, January 23, 1998 (Cont'd)**

Civil Stephanie A. McEwan
No. vs.
G016357 Aviation Clubs of Fullerton

Merits. Cause called. Michael R. Marron argues for appellant.
Wylie A. Atkin argues for respondent. Cause submitted.

Court declared a recess.

Court re-convened at 1:30 p.m. in the courtroom located at 925 N.
Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J.,
Wallin, J., Crosby, J. J. McElroy, Deputy Clerk attending.

Civil Department of Transportation
No. vs.
G016015 Fred R. Waugh; M & S

Merits. Cause called. Charles M. Belenky argues for appellant.
Henry K. Workman argues for respondent. Cause submitted.

Civil John Guthrie
No. vs.
G016871 MIB Inc.

Merits. Cause called. Margaret M. Cahill argues for appellant.
Allen Katz argues for respondent. Cause submitted.

Civil John Guthrie
No. vs.
G018500 Prudential Insurance Co. of America

Merits. Cause called. Margaret M. Cahill argues for appellant.
Michael J. Khouri argues for respondent. Cause submitted.

**Court of Appeal, Fourth Appellate District
Division Three, Santa Ana, January 23, 1998 (Cont'd)**

Civil Shannon R. Campbell
No. vs.
G015342 Prevent-A-Theft International Ltd.
G016109

Merits. Cause called. Brian G. Thorne argues for appellant. Robert W. Northup argues for respondent Cal-Guard Surety Services Inc. Cause submitted.

Civil County of Orange
No. vs.
G020355 F S T Sand & Gravel, Inc.

Merits. Cause called. Edward N. Duran, Deputy County Counsel, argues for appellant. Thomas L. Wilson argues for respondent F S T Sand & Gravel, Inc. Frederick G. Hall argues for amicus curiae California Insurance Guarantee Association. Cause submitted.

Civil North Orange County Community College District
No. vs.
G019153 C & M School Supply Company

Merits. Cause called. John E. Hayashida argues for appellant. Thomas L. Wilson argues for respondent. Frederick G. Hall argues for amicus curiae California Insurance Guarantee Association. Cause submitted.

Civil Charles R. Bonds
No. vs.
G016807 Mohan Roy

Merits. Cause called. Philip L. Merkel argues for appellant. Steven J. Kleifield argues for respondent. Appellant and respondent to file supplemental briefs by February 6, 1998 at 5:00 p.m. on Van Buren case only. Cause to be submitted on February 6, 1998.

Court declared a recess.

**Court of Appeal, Fourth Appellate District
Division Three, Santa Ana, January 23, 1998 (Cont'd)**

Civil	U. S. Escrow	(Not for publication)
No.	vs.	
G010656	Community Development Financial Corp.	

Reversed with directions.

Sills, P.J.

We concur: Wallin, J.
Sonenshine, J.

Civil	David C. Duggan	(Not for publication)
No.	vs.	
G015576	Jack Simon	

Judgment affirmed.

Bedsworth, J.

We concur: Sonenshine, Acting P.J.
Rylaarsdam, J.

Crim	The People	(Not for publication)
No.	vs.	
G017385	Ricky Gallardo Valadez	

Judgment affirmed.

Rylaarsdam, J.

We concur: Sills, P.J.
Crosby, J.

Civil	Pedro Hernandez	(Not for publication)
No.	vs.	
G017442	Satinder Gulati	

Judgment reversed and remanded.

Wallin, J.

We concur: Sills, P.J.
Crosby, J.

**Court of Appeal, Fourth Appellate District
Division Three, Santa Ana, January 23, 1998 (Cont'd)**

Crim No. G019557	The People vs. Norman Lance York	(Certified for publication)
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Judgment affirmed.

Sills, P.J.

We concur: Sonenshine, J.
Rylaarsdam, J.

Crim No. G019587	The People vs. Silvio Ortero Sanchez	(Certified for publication)
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Judgment reversed and remanded.

Sills, P.J.

We concur: Sonenshine, J.
Rylaarsdam, J.

Crim No. G019589	The People vs. Jessie Perez Barba	(Not for publication)
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Judgment reversed and remanded.

Sills, P.J.

We concur: Sonenshine, J.
Rylaarsdam, J.

Crim No. G019590	The People vs. Einar Ruiz	(Not for publication)
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Judgment reversed and remanded.

Sills, P.J.

We concur: Sonenshine, J.
Rylaarsdam, J.

**Court of Appeal, Fourth Appellate District
Division Three, Santa Ana, January 23, 1998 (Cont'd)**

Crim No. G019593	The People vs. Enrique Ramirez Torres	(Not for publication)
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Judgment reversed and remanded.

Sills, P.J.

We concur: Sonenshine, J.
Rylaarsdam, J.

Crim No. G019595	The People vs. Darrlyn Edward Hazely	(Not for publication)
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Judgment affirmed.

Sills, P.J.

We concur: Sonenshine, J.
Rylaarsdam, J.

Crim No. G019708	The People vs. Bill James Bird	(Not for publication)
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Judgment reversed and remanded.

Sills, P.J.

We concur: Sonenshine, J.
Rylaarsdam, J.

Crim No. G019888	The People vs. Eugene Junior Williams	(Not for publication)
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Judgment reversed and remanded.

Sills, P.J.

We concur: Sonenshine, J.
Rylaarsdam, J.

**Court of Appeal, Fourth Appellate District
Division Three, Santa Ana, January 23, 1998 (Cont'd)**

Civil Western Digital Corporation (Certified for publication)
No. vs.
G021600 The Superior Court of Orange County;
 Amstrad plc.

Writ issued.

Sills, P.J.

We concur: Sonenshine, J.
 Rylaarsdam, J.